

Franchise and Concession Review Committee Public Hearing
July 10, 2017

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

-----X
PUBLIC HEARING
FRANCHISE and CONCESSION REVIEW COMMITTEE
-----X

2 Lafayette Street
14th Floor
New York, New York

Monday, July 10, 2017.
2:44 p.m.

Franchise and Concession Review Committee Public Hearing
July 10, 2017

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:
Mayor: Peter Hatch

Clerk: Stephanie Ruiz

Office of Mayor: Benjamin Furnas

Corporation Counsel: Sharon Cantor

Office of Management and Budget: Yvonne Quintian

Comptroller: Susie Sohn

Borough President of Brooklyn: Tonya Cantlo-Cockfield

Borough President of Manhattan: James Caras

Borough President of Queens: Angeline Martinez-Rubio

Borough President of Staten Island: Lashay Young

Borough President of The Bronx: Raymond Sanchez

Department of Parks and Recreation: Alexander Han

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

MR. HATCH: Good afternoon. The Public Hearing will now come to order. Will the Clerk please call the roll.

THE CLERK: Mayor.

MR. HATCH: Here.

THE CLERK: Office of the Mayor.

MR. FURNAS: Here.

THE CLERK: Comptroller.

MS. SOHN: Here.

THE CLERK: Corporation Counsel.

MS. CANTOR: Here.

THE CLERK: Office of Management and Budget.

MS. QUINTIAN: Here.

THE CLERK: President, Borough of the Bronx.

MR. SANCHEZ: Here.

THE CLERK: President, Borough of Brooklyn.

MS. CANTO-COCKFIELD: Here.

THE CLERK: President, Borough of Manhattan.

MR. CARAS: Here.

THE CLERK: President, Borough of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

Queens.

MS. MARTINEZ-RUBIO: Here.

THE CLERK: President, Borough of
Staten Island.

MS. YOUNG: Here.

MR. HATCH: Welcome to this Public
Hearing of the Franchise and Concession
Review Committee. The hearing being
conducted today has been publicly
advertised in accordance with the New York
City Charter and Concession Rules of the
City of New York.

We want to be sure that anyone
desiring to be heard has an opportunity to
do so. All persons wishing o speak must
fill out a request slip, which may be
obtained from the Clerk. Each speakers
will be allotted, approximately, three
minutes. When you testify, please state
your name and affiliation, if any.

Will the Clerk please call the first
calendar item.

THE CLERK: New York City
Department of Parks and Recreation,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROCEEDINGS

Calendar Item No. 1: In the matter of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to authorize the New York City Department of Parks and Recreation to amend the existing license agreement between Parks and York Avenue Tennis, LLC for the operation and management of an indoor tennis facility and clubhouse at Queensboro Oval, Manhattan.

MR. HATCH: Does anyone wish to testify.

(No Response.)

MR. HATCH: If, no one wishes to speak, that concludes today's hearing. We ask that the Reporter make the entire Public Hearing Agenda, which was made publicly available and distributed at this hearing, part of the final record of the proceeding. The hearing is now closed. Thank you.

(TIME NOTED: 2:46 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)

:ss

COUNTY OF NASSAU)

I, BROOKE A. MISELIS, a Notary Public
within and for the State of New York, do hereby
certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and that
such an examination is a true record of the
testimony given by such a witness.

I further certify that I am not related to
any of these parties to this action by blood or
marriage, and that I am not in any way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 10th day of July, 2017.

Brooke Miselis

Brooke Miselis

| | | | | |
|------------------------------|---|---|--|---|
| 10th 6:19 | borough 2:8,9,10,11,12 | concession 1:4 4:8,12 5:3,6 (5) | furnas 2:4 3:8 | make 5:19 |
| 14th 1:7 | 3:16,19,22,25 4:4 (10) | concludes 5:18 | further 6:14 | management 2:6 3:13 5:11 |
| accordance 4:11 | bronx 2:12 3:17 | conducted 4:10 | given 6:13 | manhattan 2:9 3:23 5:13 |
| action 6:15 | brooke 6:7 | corporation 2:5 3:11 | good 3:2 | marriage 6:16 |
| advertised 4:11 | brooklyn 2:8 3:20 | counsel 2:5 3:11 | han 2:13 | martinezrubio 2:10 4:3 |
| affiliation 4:21 | budget 2:6 3:14 | county 6:5 | hand 6:19 | matter 5:2 6:17 |
| afternoon 3:2 | c 6:2,2 | day 6:19 | has 4:10,15 | may 4:17 |
| agenda 5:20 | calendar 4:23 5:2 | department 2:13 4:25 5:8 | hatch 2:2 3:2,6 4:7 5:14,17 (6) | mayor 2:2,4 3:5,7 (4) |
| agreement 5:9 | call 3:4 4:22 | desiring 4:15 | heard 4:15 | minutes 4:20 |
| alexander 2:13 | cantlocockfield 2:8 | different 5:5 | hearing 1:2 3:3 4:8,9 5:18,20,21,23 (8) | miselis 6:7 |
| allotted 4:19 | cantcockfield 3:21 | distributed 5:21 | hereby 6:8 | ms 3:10,12,15,21 4:3,6 (6) |
| am 6:14,16 | cantor 2:5 3:12 | does 5:14 | hereinbefore 6:11 | must 4:16 |
| amend 5:9 | caras 2:9 3:24 | duly 6:11 | hereunto 6:18 | my 6:18 |
| angeline 2:10 | certify 6:9,14 | each 4:18 | indoor 5:12 | name 4:21 |
| anyone 4:14 5:14 | charter 4:12 | entire 5:19 | intent 5:3 | nassau 6:5 |
| appearances 2:2 | city 4:12,13,24 5:6,8 (5) | examination 6:10,12 | interested 6:17 | new 1:7,7 4:11,13,24 5:7,7 6:3,8 (9) |
| approval 5:4 | clerk 2:3 3:4,5,7, 9,11,13,16,19,22,2 5 4:4,18,22,24 (15) | existing 5:9 | island 2:11 4:5 | no 5:2,16,17 |
| approximately 4:19 | closed 5:23 | facility 5:12 | item 4:23 5:2 | notary 6:7 |
| ask 5:18 | clubhouse 5:12 | fill 4:17 | james 2:9 | noted 5:25 |
| authorize 5:7 | come 3:3 | final 5:22 | july 1:10 6:19 | now 3:3 5:23 |
| available 5:21 | committee 1:4 4:9 5:4 | first 4:22 | lafayette 1:2 | obtained 4:18 |
| avenue 5:10 | comptroller 2:7 3:9 | floor 1:7 | lashay 2:11 | office 2:4,6 3:7,13 (4) |
| being 4:9 | | forth 6:11 | license 5:9 | one 5:17 |
| benjamin 2:4 | | franchise 1:4 4:8 5:3 | llc 5:10 | |
| between 5:10 | | | made 5:20 | |
| blood 6:15 | | | | |

| | | | |
|---|------------------------------------|----------------------------------|--|
| operation 5:11 | raymond 2:12 | street 1:2 | wishes 5:17 |
| opportunity 4:15 | record 5:22 6:12 | such 6:12,13 | wishing 4:16 |
| order 3:3 | recreation 2:13 4:25 5:8 | sure 4:14 | within 6:8 |
| out 4:17 | related 6:14 | susie 2:7 | witness 6:10,13,18 |
| outcome 6:17 | reporter 5:19 | sworn 6:11 | x 1:2,5 |
| oval 5:13 | request 4:17 | tennis 5:10,12 | york 1:7,7 4:11,13,24 5:7,7,10 6:3,8 (10) |
| parks 2:13 4:25 5:8,10 (4) | response 5:16 | testify 4:20 5:15 | |
| part 5:22 | review 1:4 4:9 5:4 | testimony 6:13 | young 2:11 4:6 |
| parties 6:15 | roll 3:4 | thank 5:24 | yvonne 2:6 |
| persons 4:16 | ruiz 2:3 | these 6:15 | 244 1:9 |
| peter 2:2 | rules 4:12 5:6 | three 4:19 | 246 5:25 |
| please 3:4 4:20,22 | sanchez 2:12 3:18 | time 5:25 | 2017 1:10 6:19 |
| pm 1:9 5:25 | section 5:5 | today 4:10 | |
| president 2:8,9,10,11,12 3:16,19,22,25 4:4 (10) | seek 5:3 | today's 5:18 | |
| procedure 5:5 | set 6:11,18 | tonya 2:8 | |
| proceeding 5:23 | sharon 2:5 | true 6:12 | |
| proceedings 3:1 4:1 5:1 | signature 6:23 | utilize 5:4 | |
| public 1:2 3:3 4:7 5:19 6:7 (5) | slip 4:17 | want 4:14 | |
| publicly 4:10 5:20 | sohn 2:7 3:10 | way 6:16 | |
| pursuant 5:5 | speak 4:16 5:17 | welcome 4:7 | |
| queens 2:10 4:2 | speakers 4:18 | when 4:20 | |
| queensboro 5:13 | ss 6:4 | whereof 6:18 | |
| quintian 2:6 3:15 | state 4:20 6:3,8 | which 4:17 5:20 | |
| | staten 2:11 4:5 | whose 6:10 | |
| | stephanie 2:3 | will 3:3,4 4:19,22 (4) | |
| | | wish 5:14 | |

PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MONDAY, JULY 10, 2017 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., NEW YORK, NEW YORK, N.Y. 10007 (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Joint Public Hearing
Monday, July 10, 2017 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 1: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to authorize the New York City Department of Parks and Recreation (Parks) to amend the existing license agreement between Parks and York Avenue Tennis, LLC ("Licensee") for the operation and management of an indoor tennis facility and clubhouse at Queensboro Oval, Manhattan. The amendment, among other things, extends the agreement for one (1) year from September 1, 2017 to August 31, 2018; with two (2) one (1)-year renewal options to be exercised at the sole discretion of Parks, and establishes a new Summer Season fee structure for Year 10, Extended Operating Year 1, and Option Years 1 and 2 of the agreement. Compensation to the City will be as follows: for each operating year, York Avenue Tennis, LLC shall pay to the City license fees consisting of the greater of a guaranteed minimum annual fee versus a percentage of gross receipts. Year 10 (September 1, 2016 – August 31, 2017): \$2,637,258 vs. 35%; Extended Operating Year 1 (September 1, 2017 – August 31, 2018): \$2,637,258 vs. 35%; First Option Year (September 1, 2018 – August 31, 2019): \$2,637,258 vs. 35%; Second Option Year (September 1, 2019 – August 31, 2020): \$2,637,258 vs. 35%. Further, in the event Licensee's Gross Receipts from the Summer Season exceed \$300,000, Licensee shall pay to the City 20% of all such Gross Receipts from the Summer Season in excess of \$300,000. Gross Receipts from the Summer Season shall only include those funds received for court use, instruction, or other services provided, which take place during the Summer Season.